

REMARKS

Claim status:

With entry of the instant amendment, claims 1 - 4, 6 - 12, 15 - 19, 23 - 25, 29 and 30 are pending. Claim 25 has been amended. Claims 5, 14, 20 – 22 and 26 – 28 have been cancelled without prejudice. Applicants reserve the right to file further continuation and/or divisional applications on the subject matter of any cancelled claim. Additionally, Applicants assert new matter has not been introduced by the present amendment.

In the Office Action dated July 10, 2006, the Examiner indicated that claims 1 – 4, 6 – 13, 15 – 19, 23 and 24 were allowed and that claims 29 and 30, while objected to, would be allowable if rewritten in independent form including all of the limitations of base claim 25 and any intervening claims. Independent claim 25 has been amended to incorporate the elements of claims 29 and 30, and previously presented claim 29 and claim 30 have been maintained as directed to specific embodiments.

Objections to the Specification:

The Examiner did not enter the formal drawings which were submitted with Applicants' amendment on May 26, 2006 because they were presented in improper format. Applicants have included herein replacement figures for the originally filed drawings and have indicated "replacement sheet" on the top of each drawing sheet. The replacement sheets do not include color drawings. Applicants have amended the description of Figure 1 in the specification to conform to the depiction in the replacement sheet.

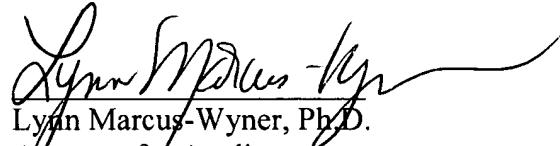
The Examiner did not enter the previous amendment to paragraph 39 of the disclosure and indicated that the paragraph did not contain amendment markings as required by 37 CFR 1.21(b)(1)(ii). Applicants contend that the current amendment to paragraph 39 complies with 37 CFR 1.12(b)(1)(ii). Specifically, paragraph [39] has been amended to delete browser-executable code and the address for the ATCC has been provided as opposed to the code for the website.

Applicants have amended the "Brief Summary of the Invention" to include the embodiments recited in claims 1 and 25. In addition, Applicants have amended page 14, paragraph [69] of the disclosure. This section is directed to "Elution by pH Steps" and now includes the pH range elements and step numbers recited in dependent claims 14, 15 and 17. The amendment now provides antecedent basis in the disclosure for the original claims.

The Examiner has objected to the original abstract of the disclosure because allegedly it is insufficiently detailed. While Applicants do not agree with the Examiner, a new abstract has been submitted. The new abstract recites that the protein of interest is an immunoglobulin or fragment thereof and further that the method includes the use of hydrophobic charge induction chromatography.

Applicants respectfully submit that the pending claims are in condition for allowance. Allowance of the application is kindly requested. If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 846-7620.

Respectfully submitted,



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Date: November 9, 2006

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